

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Daniel M. Fonseca-Piraquive

Docket No. 5:14-MJ-2205-1

Petition for Action on Probation

COMES NOW Tiffany C. Peacock, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Daniel M. Fonseca-Piraquive, who, upon an earlier plea of guilty to Count 2- Resist, Delay or Obstruct, in violation of 18 U.S.C § 13, assimilating N.C.G.S 14-223 and Count 6- Assault on a Law Enforcement Officer, in violation of 18 U.S.C § 111, was sentenced by the Honorable Kimberly A. Swank, U.S. Magistrate Judge on July 9, 2015, to 12 months probation under the conditions adopted by the court.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On July 13, 2015, the defendant submitted a urine specimen which tested positive for marijuana and cocaine. When confronted with the results, the defendant admitted to the use of both substances. The defendant has been placed in drug treatment and we will continue to monitor his drug use through the Surprise Urinalysis Program. Furthermore, the offender has requested a mental health evaluation stating he feels there are things that a psychiatrist could assist him with as it relates to his substance abuse problems. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The defendant shall participate in a program of mental health treatment, as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

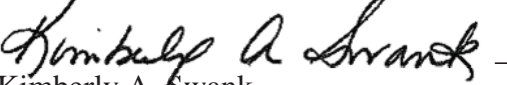
I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

/s/ Tiffany C. Peacock
Tiffany C. Peacock
U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: 910-354-2545 Executed
On: October 21, 2015

ORDER OF THE COURT

Considered and ordered this 22nd day of October, 2015 and ordered filed and made a part of the records in the above case.


Kimberly A. Swank
U.S. Magistrate Judge